REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action rejects claims 1-3 under 35 USC §102(e) as being anticipated by OBER et al. 6,708,273. The Official Action further notes that claims 9-38 are allowed and claims 4-8 are allowable but for their dependence from rejected base claims.

In light of such stated allowance and allowability, applicant has amended claim 3 to incorporate the features of allowable claim 6. Applicant has also canceled claims 1, 2, and 6. This should put claims 3-5, 7, and 8 into condition for immediate allowance, together with the claims already allowed.

In addition to the amendments described above, applicant has added new claims 39-43. Of these, claim 39 is an independent claim from which the remainder of the new claims depend.

The present invention is an encryption circuit that performs hardware encryption. The encryption device provides further flexibility by allowing for reconfiguration of the hardware encryption. In the past, as in the applied reference, there did not exist an encryption device that could perform hardware encryption with the ability to modify the actual configuration of the hardware performing the encryption.

New independent claim 39 recites a transmitter and receiver having an encrypter and decrypter, respectively. Each of the encrypter and decrypter is constructed so as to perform hardware encryption/decryption.

Claim 39 further recites that each of the encrypter and decrypter is constructed so that the hardware encryption and decryption, respectively, can be selectively reconfigured using circuit data serving as a secret key. The applied OBER et al. reference lacks any disclosure of a mechanism that performs hardware encryption, and whose hardware configuration can be selectively modified.

Claims 40-43 recite additional features also undisclosed by the applied reference or any other known prior art. Among these, claim 43 recites that the encrypter is constructed such that once it is configured using the circuit data serving as a secret key, the encrypter continues to perform the hardware encryption function as newly configured without further input of the circuit data. The encrypter continues to operate in this way until such time that the secret key used to create the current configuration is replaced with a different secret key, which necessarily produces a different configuration. This characteristic of the variable configuration hardware is an inherent component of a Field Programmable Gate Array (FPGA), described in the present application as one embodiment of the encrypter.

In light of the amendments provided above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may contact the undersigned attorney so that this application may continue to be expeditiously advanced.

Please charge the fee of $200 for the one extra independent claim and $250 for the five claims of any type added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON
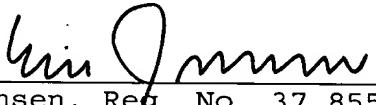
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